

*Via Electronic Comment Filing System*

June 24, 2016

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: *Notice of ex parte from the Gila River Telecommunications, Inc.  
Connect America Fund, WC Docket No. 10-90*

Dear Ms. Dortch:

By this letter, and pursuant to Section 1.1206 of the Commission's rules,<sup>1</sup> Gila River Telecommunications, Inc. (GRTI) provides notice of separate meetings on Wednesday, June 22nd with Commissioner Mike O'Rielly and his Wireline Legal Advisor Amy Bender; Claude Aiken, Wireline Legal Advisor for Commissioner Clyburn; Nick Degani, Wireline Legal Advisor for Commissioner Pai; Consumer and Governmental Affairs Associate Bureau Chief D'wana Terry, Office of Native Affairs and Policy (ONAP) Acting Director Lyle Ishida, and ONAP staff Sayuri Rajapakse, Daniel Margolis, and Janet Sievert. In attendance for GRTI were Chairperson Belinda Nelson, Vice Chairperson John Lewis, Board Member Lee Miguel, General Manager Bruce Holdridge, and Greg Guice, counsel for GRTI.

Consistent with comments filed in response to the Federal Communication Commission's (Commission) Further Notice of Proposed Rulemaking (FNPRM),<sup>2</sup> GRTI noted that there are unique costs associated with providing broadband on tribal lands that are primarily realized as operating expenses and as a carrier that whose study area is comprised 100 percent of tribal locations, these unique costs substantially raise its expenses.<sup>3</sup> GRTI explained that the \$1.26 million in expenses set out in its comments demonstrate that the magnitude of the challenge carriers serving tribal lands face. GRTI reaffirmed its support for a tribal-specific operating expense (opex) mechanism that either exempts or modifies the opex limits adopted in the Commission's underlying order and a capital investment mechanism, like the Tribal Broadband Factor, proposed by NTTA.<sup>4</sup>

GRTI reiterated that the FCC, Congress and several federal entities have recognized for more than fifteen years that there are higher, unique costs associated with serving tribal lands and

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<sup>1</sup> 47 C.F.R. § 1.1206.

<sup>2</sup> *In re Connect America Fund*, WC Docket Nos. 10-90, 14-58; CC Docket Nos. 01-92; Report and Order, Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking, 31 FCC Rcd. 3087 (rel. Mar. 30, 2016) (*Rate of Return Reform Order*).

<sup>3</sup> GRTI Comments at 7-9. The categories of unique costs include middle mile, Bureau of Indian Affairs rights-of-way, National Environmental Protection Act, and others.

<sup>4</sup> GRTI Comments at 10-11; GRTI Reply Comments at 3-6.

offered to work with her office to ensure that the Commission has the information its needs to reach a decision to provide specific support for tribal lands no later than the end of the year as the Commission stated in the recently adopted *Rate of Return Reform Order*.<sup>5</sup>

GRTI looks forward to continuing to work on these issues with the Commission. Please direct any questions to the undersigned.

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<sup>5</sup> *Rate of Return Reform Order* at 3148, n.362.